

## **REMARKS**

### **Status of the Claims**

All pending claims 1-52 have been rejected. Claims 1-52, as amended, and new claim 53 are now in the case. No new matter is added by this amendment.

### **Claim Rejections**

As indicated in the Office Action, Claims 1-52 have been rejected, as follows:

Claims 1-4, 11-14, 17-23, 29-32, 35-52 have been rejected under 35 U.S.C. 102(e) as being anticipated by the International Publication No. WO 03/034664 to Burr.

Claims 5-10, 15-16, 24-28 and 33-34 have been rejected under 35 U.S.C. 103(a) as being unpatentable over Burr and further in view of U.S. Patent Publ. 2003/0037033 to Nyman et al.

### **Applicants' Response**

Under 35 U.S.C. 103 (c) (1), the cited U.S. Patent Publication. 2003/0037033 to Nyman et al. is not prior art to the above identified application, because the subject matter of the Nyman et al. Patent Publication and the claimed invention in the above identified application were, at the time the claimed invention was made, owned by Nokia Corporation.

Before addressing these grounds for rejection, the Applicants would like to draw the Examiner's attention to some of the novel and unobvious features of their claimed invention. In the Applicants' claimed invention, the middleware provides enhanced application discovery and service discovery for ad-hoc network environments, which is a distinctly different function from those of application programs running on the terminals. For example, middleware software can include an API that helps an application program running on a terminal to find and communicate with a counterpart application running on a server or on another terminal. To quickly locate each application, middleware software can also include an application directory to track the role assumed by each application that is resident in each device in an ad-hoc network environment.

In situations where no matching middleware layer exists in another terminal being interrogated, there is no need to continue attempting to establish communication, thereby saving bandwidth, energy, and time.

By contrast, the Publication No. WO 03/034664 to Burr discloses that a route to certain devices having matching applications can be established based on routing tables that are shared among the devices during service discovery. Further, Burr discloses in step 930 of Figure 9B, the device compares received application software packages with the application software installed in said device to ensure that matching application software exists within the device, and if there is a match, the device creates an internal routing table based on the information and shares it with other nearby devices. Thus, the Burr reference provides a routing table in ad-hoc network environment containing information of various reachable devices holding certain applications.

However, the Burr reference fails to disclose or suggest the Applicants' claimed service discovery middleware, as discussed above. In addition, the Burr reference fails to disclose or suggest the Applicants' claimed receiving an indication, during inquiry, that the nearby device possesses the middleware software, and the claimed performing a confirmation step upon establishing a connection with the nearby device, as a requirement for initiating execution of the middleware layer program.

There is no disclosure of suggestion of the Applicants' claimed invention in the Publication No. WO 03/034664 to Burr.

### CONCLUSION

Based on the foregoing amendments and remarks, Applicants respectfully request reconsideration and withdrawal of the rejection of claims and allowance of this application.

### AUTHORIZATION

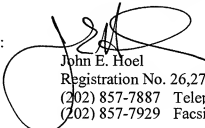
The Commissioner is hereby authorized to charge any additional fees which may be required for consideration of this Amendment to Deposit Account No. 13-4500, Order No. 4208-4114US1. A DUPLICATE OF THIS DOCUMENT IS ATTACHED.

In the event that an extension of time is required, or which may be required in addition to

that requested in a petition for an extension of time, the Commissioner is requested to grant a petition for that extension of time which is required to make this response timely and is hereby authorized to charge any fee for such an extension of time or credit any overpayment for an extension of time to Deposit Account No 13-4500, Order No. 4208-4114US1. A DUPLICATE OF THIS DOCUMENT IS ATTACHED.

Respectfully submitted,  
MORGAN & FINNEGAN, L.L.P.

Dated: March 12, 2007 \_\_\_\_\_ By:



John E. Hoel  
Registration No. 26,279  
(202) 857-7887 Telephone  
(202) 857-7929 Facsimile

Correspondence Address:

MORGAN & FINNEGAN, L.L.P.  
3 World Financial Center  
New York, NY 10281-2101